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THE  
ADMISSION OF VERMONT  
INTO THE UNION



*By* LEON W. DEAN

1941

VERMONT HISTORICAL SOCIETY



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THE ADMISSION OF VERMONT  
INTO THE UNION









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To those ancestors of mine who for over one  
hundred and fifty years have contributed  
their modest part to the making of Vermont





## FORELOG

The struggle of Vermont for statehood was unique and epic. It does not matter if, as has been charged, the men who engineered the struggle were prompted by selfish motives. The same charge can be laid against most men whether they achieve much or little. What matters is that these men were big enough to promote more than their own interests and had qualities of greatness far in excess of any smallness. To produce an epic one must have a hero, and these men were heroes, but not even a hero is expected to be perfect. Let us give them credit for being outsize men of a stature sufficient to produce a state against odds that ordinary men could not have surmounted. They were men of initiative and originality, courageous, loyal, steadfast, men of independent spirit and an abiding love of liberty. They had convictions that they were fearless in defending and the ability to consummate their ideas. Because they possessed these characteristics they gave us the State of Vermont. Lesser men could not have done it. Without them it would not have existed. This story tells how they did it.

The story as told will create no stir among historians. The facts have been recounted before. For them I have leaned heavily on Crockett and other writers, tempered by the more recent investigations of men like Jones. I have tried merely to reassemble their facts, which were prepared for a different purpose, in such a way as to present an uninterrupted, adequate but not too detailed, readable picture of the situation for the casual peruser. The story begins at about that point where New Hampshire, with only a dubious jurisdictional right, was making grants of land in the territory between the Connecticut River and Lake Champlain. It relates how this desolate waste, with its limited resources, was developed by the sturdiness of





its people into an independent commonwealth having the strength and wisdom to defy at different times and the same time the armed and diplomatic might of England, the United States, New York and New Hampshire. It closes at about that point where the independent commonwealth, having vindicated its right to existence as a political entity, is admitted into the Union of States.

The immediate occasion for the story is the one hundred and fiftieth anniversary celebration of that admission. Inasmuch as it is hoped that the incidents delineated may never be forgotten by Vermonters, the sketch may be worth retaining for incidental reference after the celebration is another thing of the past. There never has been but one Vermont. We trust there may never be another. May it ever be the same one.

LEON W. DEAN

UNIVERSITY OF VERMONT

NOVEMBER 18, 1940



## ACKNOWLEDGMENT

*I should like to express my appreciation to Professor Arthur W. Peach, chairman of the Citizens Sesquicentennial Committee, to John Clement, and to Congressman Charles A. Plumley of Vermont for their critical and helpful reading of these pages.*

THE AUTHOR



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## INTRODUCTION

The Vermont Historical Society takes pleasure in authorizing the publication of this volume of Vermont history **covering** those years prior to Vermont's admission into **the** Union. This story is indeed fascinating, but never as yet has been adequately covered by the historian.

The heart-breaking struggle of the early pioneers to keep the brave little republic intact is a classic in American history.

Beset on all sides by her foes, the British, New Hampshire, New York, and the Congress, our forefathers learned by hard experience what freedom and democracy meant. But they carried through and saw Vermont become the first state to be admitted into the Union in 1791.

We live today in times just as critical, when democracy the world over is struggling to survive—a period in which it will soon be decided whether we shall be ruled by totalitarian might or by individual freedom in democracy.

Knowing that our forefathers successfully met and solved problems very similar to those we now face, we believe this book is timely and a real contribution, not only to a better knowledge of Vermont history, but also to the solving of present-day problems. Throughout 1941 we shall celebrate the Sesquicentennial of the admission of Vermont into the Union, a time when all Vermonters will dedicate themselves anew to "Freedom and Unity."

The Vermont Historical Society presents this book to the public as a part of its program in carrying out this important celebration.

LEON S. GAY, *President*  
*Vermont Historical Society*

CAVENDISH, VERMONT  
JANUARY 31, 1941





## LEGEND

No organized government in early days. New York controversy and advent of Revolution produce rudimentary government as defense measure. Unsympathetic attitude of Congress results in founding of independent state. New Hampshire alienated by annexation of sixteen towns. Vermont restores the sixteen towns, but some of her own towns object, and New Hampshire lays claim to the territory. Massachusetts also sets up claim. Vermont protects herself by threatening to join England. Also by annexing New Hampshire and New York towns. Changing political conditions finally favor her admission.



## STARTING FROM SCRATCH

*March 4, 1791.*

On this date Vermont was admitted into the Union of States as the fourteenth state of that Union, the first beyond the original thirteen. The date marks the end of a gallant fight by a liberty-loving, indomitable people, possessed of some of the most sturdy traditions of their race.

It had been a fight against the hostile soil and hostile climate of a northern wilderness; against marauding man and marauding beast; against a warring England on the north, the covetous power of New York on the west, the claims of New Hampshire on the east, and a mischievous Massachusetts on the south; against, too, the internal troubles that must beset any commonwealth, particularly a young and unestablished commonwealth, struggling with the vital problems of existence; a fight against the opposition of an antagonistic Congress, that for years rejected every appeal for consideration. Unassisted, with no friendly hand reached out from any quarter to give aid, Vermont fought the good fight and by virtue of her courage, her sagacity, her perseverance won for herself her independence and a proud place in the sisterhood of states that today comprise the great Union of the United States of America.

*March 4, 1791.*

It is proper that we do not observe the day with gaudy celebrations, with marching bands and flowery orations, with baseball games and fireworks. It is well that it has not, like so many of our days of recognition, become a play day instead of a day of remembrance and dedication. It is better perhaps that by its proximity to town meeting





day it has virtually been set aside in the spirit of its origin as a time when a free people may each year come together upon the high and important concerns of state to transact **after due** consideration such business as may seem to them **to be** for the common good.

*March 4, 1791.*

The day had its inception when the first rugged pioneers shouldered their way into the primeval fastnesses, forbidding even to the red man, of what is now Vermont. At first the isolated farms and tiny hamlets needed scarcely any form of government. Individuals and groups were quite sufficient unto their own wants. Such random and minor matters of a civil nature as might demand attention could somehow be taken care of and adjusted locally as were medical and other concerns incident to a frontier existence. Three factors gradually impelled the people to adopt some form of political organization. One was an increase in population, which, even under normal conditions, would eventually have made necessary an adequate political control to meet the complexities of an expanding social order. The two other factors, both of which served to hasten this normal formation of a central government, were the New York controversy and the advent of the Revolutionary War, forcing the still sparsely settled inhabitants of the Grants into a union that would provide for them the protection that the circumstances demanded.

It might be supposed that the grantees could look to New Hampshire, from whose Governor Wentworth they had taken out their rights, as the logical seat of authority, and to a limited extent they did so; but New Hampshire's right to jurisdiction over the territory was at best rather nebulous, and on the whole, having gathered her spoils, she seemed to absolve herself from responsibility in the affairs of the Grants, particularly in support of the settlers





in their dispute with New York. Vermont had to stand alone. Only on her own initiative did she prevent herself from being absorbed by the adverse forces that threatened to engulf her, only through her own efforts did she strengthen her position, develop her resources, and finally emerge into statehood. As Walter H. Crockett points out in his extensive history of the state, Vermont never was a Crown colony, nor was it ever granted as a separate governmental entity by any monarch or by any state. It made its own place, forged its own destiny. In this respect, as in not a few others, the history of the state is unique.

Such slight government as officially existed in the early days was vested in the town proprietors, but these often held their meetings in the state of their residence rather than on their holdings, and their power was negligible. Many of them never appeared in person on the Vermont scene. Often there was a gap of several years between the granting of a township and the organization of a town government. Only about forty towns possessed a regularly organized government prior to the Revolutionary War.

The more orthodox towns east of the mountains along the Connecticut River valley showed a greater tendency to organize than the western townships. Although Bennington was the first town granted in the state, the Connecticut River towns, offering easier access, filled up more rapidly than the western townships. By the Revolutionary period all the towns as far north as Newbury had been settled. The occupants of these river towns were homesteaders rather than speculators and constituted a more substantial, stabilized group than those west of the mountains. They formed a natural extension of the communities farther south in Massachusetts and Connecticut, bringing with them the social, religious and political tenets of those communities and patterning their own institutions





on them. They represented the established order pushing up into new territory. The mountains formed a protective barrier, shutting them off from many of the troubles with New York which kept the western communities, where there was more of a conflict in land titles, in a restless state of uncertainty.

The western inhabitants were a more adventuresome, free thinking, free acting, irrepressible lot. They left their pasts behind them when they sought a new life in a new country. They represented the rebellious spirit that quelled all opposition from without and within and ventured experiments in new social, moral and political philosophies. Here dwelt the bold Allens, the militant Warners, the sage Chittendens, the singing Rowleys and other members of that non-conforming brood who blazed fresh trails through the forest of human thought and conduct comparable to those left by the vigorous strokes of their axes amid their mountain lairs.

Stewart H. Holbrook has written an energetic book on Ethan Allen. Following are a few quotations borrowed from it relative to this robust hero of the Grants.

"I am a hardy mountaineer and scorn to be intimidated by threats."

"I can upset his Blackstones, his whitestones, his gravestones and his brimstones."

"Go your way now and complain to that damned scoundrel your governor."

"I wish to God America would at this critical juncture exert herself agreeable to the indignity offered her."

"Unless the inhabitants of Guilford peacefully submit, I swear that I will lay it as desolate as Sodom and Gomorrah, by God."

"Rather than fail, I will retire with hardy Green Mountain Boys into the desolate caverns of the mountains, and wage war with human nature at large."



Ethan Allen had the same attributes, the same characteristics as those about him except that he held them in a superior degree. He is symbolic of the mental and spiritual qualities that actuated the settlers, especially the leaders, on the western marches of the Grants and made it possible for them to achieve a government so sinewy, so economically and politically stable that in the end it had to be recognized and accepted.





## II

### THE DIE IS CAST

**When** New York instituted a claim to the territory of the Grants and began actively through court decrees and processes to enforce that claim, seeking to dispossess the settlers who had received their grants from New Hampshire and refused to pay the fees for confirmatory titles, the independent spirit of the settlers rose in defense of their rights. They had little tolerance for grants made under New York title and none when that title conflicted with New Hampshire titles. When New York exerted pressure, she unwittingly sowed the germs that in the last accounting were to end in her own defeat. Under that pressure the settlers found it necessary to draw together and set up protective tribunals with rudimentary judicial and executive powers. These formed the primitive nucleus of a later state government. They operated under the name of Committees of Safety. There was also formed an unattached military body, known as the Green Mountain Boys, with certain police powers, that could, if called on to do so, carry out the will of the Committees.

Here, in the Committees of Safety, with their ability to enact measures for the public weal and with a military force to support them, were the seeds of a government. To provide broader scope to the activities of the Committees they could be assembled in convention form with delegated authority. This was the situation in 1775 when the Revolutionary War descended upon the exposed Grants, adding another threat and more complications to those already existing. The fragment of government that had so spontaneously come into being to cope with an emergency found itself inadequate to meet the increasing exigencies of the occasion. It was too loose, too diffused,





too much subject to dissension. The increasing pressure being brought to bear on its feeble structure demanded something more compact, comprehensive, potent, with which to ward off the growing peril. The towns, although mounting in number, were still to all intents and purposes disassociated units with no common governing body of their own and owning no allegiance to any other governing body. They were an isolated cluster of small craft adrift in their own sea. No foreign body, save for selfish motives, cared what became of them. They had only their own ingenuity and roving fearlessness with which to chart their course and keep afloat.

It was remarkable that under such conditions the harassed settlers should espouse the interests of the states and fight in the common cause against England. Here was a rare breed who could set principle above expediency. In one sense it might be considered to their advantage to link their fortunes with those of the other states, but that explanation of their action does not cover the whole matter. Without pausing to debate whether it might be to their advantage or otherwise, they promptly marched upon Ticonderoga and throughout the course of the whole conflict put their meager treasure and stout arms at the disposal of a country of which they were only a geographical part and which rendered them scant and grudging return for their service.

It quickly became apparent that a closer federation of the disassociated town units that comprised the Grants must be effected if the dangerous pressure being exerted against them was to be withstood. The weak affiliation provided by the Committees of Safety was not enough. A minority of the people, notably east of the mountains, adhered to New York, favoring its government. They formed a sore spot of difference and dissension within the borders. Without was New York, to whose juris-





diction the majority would not adhere, and England. And even England had her adherents. A more substantial form of government, with more legislative and executive power, was needed to command the situation. The men of the Grants were equal to the emergency.

A convention, warned by the Committee of Safety at Arlington, met at Dorset, January 16, 1776, at innholder Kent's and things began to happen. Those fellows meant business and did it. Down to the Continental Congress, sitting in Philadelphia, they sent a representation, headed by Heman Allen, brother of Ethan and Ira. It was the booming of the first big gun whose echo was not to die away until March 4, 1791. These Green Mountain Boys, with no recognized place of habitation, carrying their credentials under their woolen hats and their Remonstrance and Petition in their homespun breeches, were not abashed at bearding the dignity of Congress in its den. Diplomatically they informed the assembled solons that the Grants were all for continuing to fight in the American ranks but had no wish to do so under the aegis of New York as such a position might be interpreted as a tacit admission of New York sovereignty. Congress countered by ordering the petition for independent service to be tabled for further consideration.

"Nothing doing," replied doughty Heman, in effect. "You can't put that one over on us."

What Heman and his colleagues suspected was that the petition would be reconsidered when no delegates from the Grants were present to defend it and when New York's representatives could have their way with it. These canny backwoodsmen had a few wits in their heads as well as bullets in their pouches with which to do their fighting.

"The committee of Congress to whom our petition was referred advised us for the present to submit to New





York," said Heman in words of his own choosing, as he reported back to the reconvened convention in July. "Doctor Thomas Young, however, and other gentlemen with whom we took occasion to consult had it that we **should** form a government of our own as my brother Ethan has already intimated."

Which advice did the laconic men listening in that convention elect to follow?

They immediately voted to circulate an application among the inhabitants of the Grants to form themselves into a separate district.

"It is inconvenient," said they, with their outspoken tongues in their cheeks, "to associate with the province of New York."

And something else they did, a something that stands to their everlasting credit. In spite of the rebuff they had received at the hands of Congress, and in spite of the heated mood they must have been in as they expressed their defiance of New York, they all, with one exception, subscribed to the following declaration:

"We the subscribers inhabitants of that District of Land, commonly called and known by the name of the New Hampshire Grants, do voluntarily and Solemnly Engage under all the ties held sacred amongst Mankind, at the Risque of our Lives and fortunes to Defend, by arms, the United American States against the Hostile attempts of the British Fleets and Armies, until the present unhappy Controversy between the two Countries shall be settled."

We find here no puerile complaining over unjust treatment, no vociferous recrimination. We find on the contrary an uncompromising adherence to the stern dictates of reason and of conscience. The whole action constituted as elevated a reply to Congress and all concerned





as perhaps ever was penned by a beleaguered people sure of themselves and of the justness of their stand.

Emissaries were appointed to sound out the people. It stirs the imagination to think of that democratic roll call of the Grants to determine the mind and the will of the people in this moment of crisis. The signature of every man and boy from sixteen years upwards was to be obtained. Opposition to New York had up to this time been spontaneous and erratic, conducted more or less by a certain contentious faction. Now the intent was to make it more deliberate and united.

Rowland E. Robinson, Vermont's talented recorder of life and events in earlier days of the state, thus speaks to the point: "The convention took the first formal steps toward severing the connection with New York, and uniting all the towns within the Grants in a common league."

The towns east of the mountains were of special concern. Only one of them had been represented in the convention. How well they rallied to the issue when it was put squarely up to them is indicated by the fact that at the adjourned session of the convention held in September ten of them had representation present.

At this September session there was no dalliance. Events moved forward with steady precision. Let us note some of the steps taken.

- (1) The Grants were to be governed by the resolves of the body if not contradictory to the resolves of Congress, and no direction from New York was henceforth to be accepted.
- (2) Power was granted the convention for raising and regulating troops.
- (3) A Committee of War was appointed with power to call out the military in defense of the Grants or any part of the continent.





(4) A log jail was to be constructed at Manchester for the accommodation of Tories.

The Grants now had a simple but recognized law-making body, empowered to carry out its own acts in behalf of the common good. The approach to statehood was being prepared. Vermont was on the way to coming into being as an independent commonwealth.



### III

## CREATED IN LIBERTY

**"We will** at all times hereafter, consider ourselves as a free and independent state, capable of regulating our internal police in all and every respect whatsoever, and that the people on said Grants have the sole and exclusive and inherent right of ruling and governing themselves in such manner and form as in their own wisdom they shall think proper, not inconsistent or repugnant to any resolve of the Honorable Continental Congress."

This was Vermont's Declaration of Independence, press version, adopted as of action taken January 16, 1777, only a few months after the adoption of the Declaration of Independence of the United States.

"Furthermore, we declare by all the ties which are held sacred among men, that we will firmly stand by and support one another in this our declaration of a State, and in endeavoring as much as in us lies to suppress all unlawful riots and disturbances whatever. Also we will endeavor to secure to every individual his life, peace, and property against all unlawful invaders of the same."

In these terms Vermont, calling herself New Connecticut, established herself as a free and independent commonwealth in the face of the world, with a self-governing citizenry entitled to their own rights and bound to protect them. The historic step was taken amid the distracting turmoil of war. A convention, scheduled for the previous October, following the one in July which was to make a census of public opinion, had been interrupted by the defeat of Arnold's fleet on Lake Champlain and the advance of Carleton on Ticonderoga. The threat of danger served perhaps to stiffen resistance and to act





as an incentive to separation from the dominance of any other power. The action was taken in the old courthouse at Westminster, where less than two years before William French had fallen in defense of the people's rights.

*Here William French his Body lies  
For Murder his Blood for Vengeance cries  
King George the Third his Tory crew  
tha with a bawl his head Shot threw.  
For Liberty and his Country's Good  
He lost his Life his Dearest blood.*

It will be remembered that the initial convention which had sent its delegation to Congress in a futile effort to gain recognition for its cause against New York had met January 16, 1776. So quickly under the forced growth of pressing events had the seeds of government germinated and flowered that just one year from that date, January 16, 1777, Vermont announced herself a state.

Having become a state and having always been actively sympathetic toward the Union of the Colonies, observing a scrupulous care not to do anything that would embarrass the Congress, it was now natural that the state should apply for admission into the Union. This she did, entering upon a second phase of her struggle for recognition, her aim being to achieve a place of equality with the other states of the Union. To the United States and to the United States alone was she willing to surrender any of the liberty so hardly won and of which she was so jealous. Yet the obstinacy of Congress, dictated by political expediency, drove her at long last to a point of desperation where she made unwilling overtures, no one knows how seriously, to England.

Preoccupied by war troubles, New York, who had not relinquished her claims to the Grants, had neglected to give due consideration to what was going on within their





borders. The new state's petition for admission into the Union administered a rude awakening. The other New England states, even New Hampshire, were in the main agreeable to the inclusion of Vermont in the Union as a sister state, but New York, made suddenly conscious of the fact that the territory was slipping from her grasp, registered disapproval and revived her former claims. As New York had more prestige than the new commonwealth, her strenuous opposition was not to be regarded lightly by the Congress of which she was a voting member, and the young state's petition was given a cold reception.

"Never mind," said the young state, "we'll have a convention."

So the young state in the pleasant month of June, when the buttercups and daisies were spotting the old beaver meadows and nesting birds were singing in the stumpy clearings, drew its heads together in another convention. Vermont at this time had its Council of Safety to exercise the powers of government, but it was addicted to conventions. Conventions are democratic. Vermont's conventions were a continuous process. Each one was adjourned to the next. They constituted a somewhat intermittent form of legislature. As a form of government they had their limitations, but the state's calendar of business was not overloaded. The items, such as they were, were important, however, and with these the conventions concerned themselves. Minor matters, for the time being, could take care of themselves. Thus the convention form of government, inadequate as it might be, managed to carry the state along. The June convention was no exception to the rule. Vital matters came up for a hearing.

"We need a different name," declared the seventy-two delegates from fifty towns. "New Connecticut is too cumbersome. Besides, it's too much like Connecticut,





and they say there's a district down in Pennsylvania by that name."

So the state was renamed Vermont, and Vermonsters, although freely acknowledging their indebtedness to ~~Connecticut~~ for the number and quality of settlers sent in by that old colony and its influence on the early life of the state, are glad the change was made. A state so original could not countenance so unoriginal a name. And perhaps it has fulfilled its obligations by retaining so many Connecticut place-names. The name Vermont had been suggested apparently by Dr. Thomas Young of Philadelphia, who is also credited with having emphasized, as noted before, Ethan Allen's suggestion that the territory form itself into an independent government. In fact, the worthy doctor, who was a personal friend of the Allens and a man of vigorous, iconoclastic ideas, to say nothing of owning a bit of land in the disputed region, seems to have had his finger rather deep in the Vermont political pie, and apparently, save for arousing the temporary ire of Congress, it did not hurt the pie.

"How about a constitution?" he wanted to know. "You can't do business without a constitution."

"That's right," agreed the state, "we need a constitution."

"Let me recommend to you," said the irrepressible doctor, "the constitution of Pennsylvania."

So they hustled up another convention only a month after the rechristening. It was no time to hold a convention. Even as they met, Burgoyne, on the march up Lake Champlain, was threatening the state with disaster.

"I have but to give stretch to the Indian forces under my direction," he proclaimed, "to overtake the hardened enemies of Great Britain and America wherever they may lurk."

Even at that moment those hardened enemies were in





convention of free men assembled, drawing up and adopting a constitution that should have made the proud Burgoyne prouder of his race because they were members of it. The meeting was being held in Windsor. Amid a terrific thunderstorm which legend says came crashing through the river valley, reminding the state's founders perhaps of that even more terrible storm sweeping Lake Champlain, they went on record in the noblest tradition of their blood to the effect:

That all men are born equally free and independent, with the right to enjoy and defend life and liberty, to possess property and to obtain happiness and safety; that private property ought to be subservient to public uses on recompense to the owner; that all men have a natural and inalienable right to worship God as they please; that public officers, deriving their power from the people, are accountable to the people and subject to removal on abuse of office; that government is for the common benefit, protection and security of the people; that all elections should be free and all freemen have the right to vote; that every member of society be bound to contribute his proportion toward the maintenance of the government whose privileges he enjoys; that a man has the right to be heard in his own defense and to trial by jury; that the people are entitled to freedom of speech and press; that they have a right to bear arms in defense of themselves and the state, but that standing armies in times of peace are dangerous to liberty, and the military should be kept subordinate to the civil power; that frequent recurrence to fundamental principles and a firm adherence to justice, moderation, temperance, industry and frugality are absolutely necessary to preserve the blessings of liberty and keep government free.

The constitution of the State of Vermont was the first to forbid slavery and enforced servitude and the first to



permit universal manhood suffrage irrespective of wealth or position.

These unlearned men in their mountain stronghold, surrounded by tempest and invasion, the humble but unbowed descendants of those great English barons who gave to the world Magna Charta, had done their work well.





## IV

### THE CHITTENDEN INFLUENCE

Vermont, starting well to the rear, had forged ahead to become the ninth state to set up for itself a constitution. This constitution provided the state with a legislature consisting of one or more representatives from each town, selected annually by ballot. As a check on the legislature there was an executive body consisting of a governor, a lieutenant-governor and twelve councilors, likewise chosen annually. To supply a further safeguard in the interests of the people a Council of Censors was to be elected every seven years whose duty it was to investigate the work of the legislative and executive branches of the government and determine whether it was constitutional and of a satisfactory order.

The first election of officers under the terms of the new constitution was held on Tuesday, March 3, 1778. It had been planned to hold the election in December and the first meeting of the General Assembly in January, but the troubled condition of the times, particularly the progress of Burgoyne's campaign, and a delay in the printing of the constitution necessitated a postponement. In place of the December election a convention was held and election day set for the first Tuesday in March.

Thomas Chittenden of Williston was elected the first governor and continued in that capacity over a span of nineteen of the most vital and critical years in the history of the state, years during which Vermont, menaced without and disunited within, was existing as an independent commonwealth; years during which her people were vainly, persistently seeking admission into the bickering sisterhood of states; years during which, with the goal finally won, they were striving to establish





themselves as the fourteenth member of that Union. The only year of the nineteen that Chittenden did not serve there was no election and Moses Robinson was appointed by the legislature to fill the office. The citizens of the youthful state were by nature and training a headstrong, turbulent lot, independent of thought and action, contrary minded. To be selected by this restless, insubordinate crew year following year as captain of their pitching craft meant something. It must have meant that they trusted Chittenden's judgment, his integrity, his ability. He must have commanded their respect and their esteem.

Old Tom, as he was called, was forty-eight years old when he came to the head of the state, and he died in office at the age of sixty-seven. He was one of the few men of the Grants who had had previous political experience, having served in the legislature of his native state of Connecticut. Ethan Allen said of him that he never knew a man so inevitably right without being able to give a reason for being right. He had, in other words, a faculty for going intuitively to the kernel of a problem, no matter how complex, and finding there the correct answer. This ability was probably due in large measure to his large fund of sound common sense and his extensive experience with men and affairs. Perhaps, too, the fact that he was a man of even, unruffled temperament had something to do with it. One of his daughters gives testimony that the only time she ever saw the habitual calm of her father disturbed was when someone was abusing Ira Allen. Certain it is that a level-headed man was needed at the tiller of the tossing state. Old Tom and his companions through the long, uneasy years during which he served as chief magistrate were confronted with many delicate and highly important questions, calculated to tax the diplomatic shrewdness of extremely able men, and the opponents with whom they had to





measure their skill were oftentimes of exceptional calibre, schooled in the intricacies of political subterfuge. Added to the tangle presented by New York and now England **was the domestic** tangle presented by the discord at home. **Men** were not thinking uniformly on the many issues perplexing them. These issues were so scrambled and bit so deeply into their welfare and the future of the state that they were strongly moved by them and could not be expected to think alike. Ira Allen, referring to the intestine divisions and different opinions which prevailed among the people, gives some conception of the unsteady saddle the leaders had to ride when he explains why they hesitated to submit the constitution to the people for ratification.

“Had the constitution been then submitted to the consideration of the people for their revision, amendment and ratification,” he writes in his History of Vermont, “it is very doubtful whether a majority would have confirmed it, considering the resolutions of Congress, and their influence at that time, as well as the intrigues and expense of the Provincial Congress of New York, who endeavored to divide and subdivide the people.”

It needed leaders with the confidence, the influence, the sagacity of the first governor and his followers to be masters of the baffling situation. An incident or two will serve to illustrate the manner of man he was.

During the course of Burgoyne's campaign, when the English were striking down the Champlain artery toward what was then the heart of the country, Ticonderoga was captured and the Battle of Hubbardton fought. The Battle of Hubbardton, which broke the military strength of the state, left its western border exposed to the depredations of the enemy. The need for raising a new defense force was imperative, but the slight resources of the state had been exhausted and there was no money with which





to raise a body of troops. In the emergency the Council of Safety was summoned, but so hopeless was the situation that even the Council could find no means of raising the necessary funds. It was then that old Tom Chittenden, president of the Council, rose to his feet.

"Gentlemen," he said, "this thing must be done, it can be done, it will be done. I have ten head of cattle, my wife has a necklace, a family heirloom. We'll start with those."

But old Tom did not have to contribute his last ten head of cattle to a cause in which he believed or his wife her family heirloom, for the story goes that Ira Allen, pacing the floor much of that night, was ready in the early hours of the morning to make pronouncement of his historic policy, not altogether original perhaps with him, of raising moneys by the confiscation of the property of Tories, a policy presently to be adopted by the Continental Congress.

There came a year of early, heavy frosts, blighting the crops, particularly the corn crop, and falling especially heavy in what are now Orange and Washington Counties. The blighting fall was followed by a winter of deep snow and bitter cold. The people in the mountain districts began to suffer, to suffer severely. Some of them were on the verge of starvation. Word of their plight travelled westward into the Champlain valley, where old Tom Chittenden dwelt on his fertile acres on the banks of the Winooski with his granaries full of corn. Old Tom sent back word eastward.

"I have plenty and to spare. Come and get it."

So in the dead of that hard winter strong men trod paths down out of the mountains, paths that led westward into the Champlain valley to the farm of old Tom Chittenden. Over these paths they came, drawing their crude hand-sleds. With them they brought their little





hoards of money, and those who had no money brought mortgages on their humble mountain homes. These they offered to old Tom Chittenden in exchange for his corn.

"I have no corn to sell," replied old Tom "—no corn to sell to hungry men. Help yourselves. Leave me only enough for seed."

So the sleds travelled back eastward once more, but heavy laden now, and up into the mountains, where anxious families awaited their coming. Those mountain men never did pay old Tom Chittenden in the coin of the realm, but they paid him in years of loyalty and handed down the story to their children and their children's children.

These little stories have been inserted here not because they have in themselves any bearing on the admission of Vermont into the Union, but because they are a bit indicative of the type of men who were guiding the state along its perilous road.

Old Tom Chittenden was a loyal man, a man who had the courage of his convictions. He was so frugal he could wear a double service coat, blue on one side for civil occasions, red on the other for military occasions, but he could also open the contents of his storehouses to those in distress. With little formal education, he possessed a strong native intelligence, conspicuous more for its soundness than its brilliance. As a successful farmer, who knew how to work and prosper, he was not likely to let theory run amuck with practice. He had, in common with his fellows, many of those characteristics which had been written into their constitution as essential to the foundation and continuance of a successful state—

"That frequent recurrence to fundamental principles, and a firm adherence to justice, moderation, temperance, industry and frugality, are absolutely necessary to preserve the blessings of liberty, and keep government free.



The people ought, therefore, to pay particular attention to these points, in the choice of officers and representatives, and have a right to exact a due and constant regard to them, from their legislators and magistrates, in the making and executing such laws as are necessary for the good government of the State."





## UNION TROUBLE

No sooner were the new officers of government elected on March 3, 1778, than they settled down to business, and the first general Assembly convened March 12. Those early legislators did not have much to pack with which to make an impression in Windsor, and they probably did not have much private business to arrange, particularly at that season of the year, but communication and transportation were slow, and they had roads to travel which would make an automobile take to whatever there was in the way of a ditch. To make connections they must have picked up their ill-fitting boots and stepped around rather lively. Under the circumstances it is not surprising perhaps that after they arrived they accomplished something. One item of interest was the dividing of the state into only two counties, Cumberland on the east of the mountains, Bennington on the west, thereby erasing the more numerous county lines that had prevailed on the Grants. His Excellency, the Governor, was voted a salary of fifty pounds.

Sessions of the legislature now came cantering along at not infrequent intervals but did not last long. There were some rather important matters to regulate such as fixing the law and establishing penalties, raising five regiments of militia and seeing that they had their salt pork and Indian corn; but on the whole the enactments did not require much time and the canny servants of the state probably figured that getting in the crops at home was of quite as momentous import as setting a bounty on wolves or deciding that blasphemy was a capital crime.

Considering that constitutional law was a horse of a new color in America, and that these tumultuous sons of





freedom among the green hills of Vermont did not know much about it or the ways of judicial procedure, they were handling the reins in a way that showed them to be natural drivers.

In the very first session of the Assembly, that of March 12, 1778, and on the very first day of that session, an egg was laid that was to produce an ugly duckling and give its foster parents, those sages presiding over the destinies of the teething state, plenty of cause for anxiety. It was a duckling that was going to change the political picture, making it more of a jig-saw puzzle than ever, adding another villain to the plot that already had New York and, more recently, England.

New Hampshire had never exactly cherished its oddly begotten child across the Connecticut, but since that child had begun to assert its own rights and cry for admission into the Union it had taken a sympathetic interest in the infant and was inclined to support its appeal in Congress. A mutual peril, met at the Battle of Bennington, had helped to draw the two states together. In fact, the affection of a few New Hampshire towns along the Connecticut had become a little too ardent. Some sixteen of these towns petitioned the Vermont legislature for annexation. Here was a ticklish situation. Some of the wise ones in the day-old legislature saw something besides a rainbow on the horizon.

With Vermont petitioning Congress for admission to the inner circle and New Hampshire favorably disposed to the petition, it was not going to be the height of wisdom to antagonize New Hampshire by adopting sixteen of her more legitimate children against her desire. New Hampshire was scarcely likely to regard the acceptance of the sixteen towns as a neighborly act. She made it quite clear indeed that she did not care to be deprived of them. Vermont could not afford to alienate New Hamp-





shire's friendship, for friends were not too numerous, but she was up to her chin in a good strong pickle and did not know how to climb out.

What made the pickle was that Vermont's own eastern towns along the Connecticut, which had more than once shown themselves inharmonious, strenuously advocated the union, even threatening to withdraw from the rest of Vermont and unite with the New Hampshire towns if the state did not agree to the proposal. It was such a pretty kettle of fish that the unfledged legislature did not know what to do about it. Always equal to a crisis, however, they thought themselves up a brilliant idea. These Vermonters never failed to have something in the hat whether it was on their heads or on the table.

"We'll put it up to the people," said they, adroitly evading the issue. "We'll have a referendum."

Referendums were a novelty in those days. This was one of the early uses of that particular form of legislative machinery. The matter was put to a vote.

"Yea," voted thirty-five towns.

"Nay," voted twelve towns.

"Hurrah and huzzah," shouted the sixteen towns of New Hampshire.

The rest of New Hampshire said something else. Some of it was said by President Mesheck Weare of that state in a letter to Governor Chittenden.

"That these towns should claim they were not a part of New Hampshire is nonsense," chided Mesheck. "That Vermont should connive at their secession when she needs friends at court is worse."

Even placid Governor Chittenden was in a dither when he received friend Mesheck's communication. He bustled around, letter in hand, and got together the Executive Council. Ethan Allen, who had just returned from some three years of enforced sojourn with the





British as a result of his capture in an ill-advised effort to take Montreal, was given no time to convalesce from his hardships but was shot off posthaste to Philadelphia to ascertain what Congress thought of the way things were going in the old home state. He learned enough to make the hair of anyone else stand on end. He learned that three days before his arrival New Hampshire had officially entered protest against the action of Vermont. He learned further that charges had been laid against the state by New York and that only the press of other matters had prevented them from being taken up the day previous to his arrival.

"By the prophets," exclaimed Ethan, "this will never do!"

Ethan usually had his way. He persuaded Congress to hold the axe in the air and not let it come down until he could get back to Vermont. Once there, he made haste to report to the legislature.

"Except this state recede from such union, immediately the whole powers of the confederacy of the United States of America will join to annihilate the State of Vermont, and to vindicate the right of New Hampshire."

Ethan never said things half-way. The legislature hopped to it and appointed a committee of five to reconsider the New Hampshire situation. Perhaps the committee was loaded. Three of the five are said to have had a tie-in with the Dartmouth faction, based on Dartmouth College, who were promoting the secession, and the committee reported in favor of maintaining the union. But a Vermont legislature was not going to be led around by the nose by any committee. The next day all proposals for incorporating the disputed towns within the county lines of Vermont or even for forming them into a separate county were voted down. Thereupon nearly half of the legislature, including ten eastern township members,





marched out in high dudgeon on the other half, declaring they were through so long as the adverse vote remained in force.

This was a jolly state of affairs. Within a little over six months of strained existence the legislative body of the state had incurred a rupture that might incapacitate it for life. The recalcitrant members called a convention of their own and decided to hitch up with the New Hampshire towns and have a little state all to themselves that would either join the Federal Union, God and the Union willing, or New Hampshire. That meant that part of Vermont was going to slide into the Connecticut and come up on the other side. The insurgent gentlemen even proposed in their desperation that, other measures failing, New Hampshire should absorb Vermont.

"Aha," chortled New Hampshire, "that callow offspring of mine is about ready for the prodigal son act."

But Vermont had not spent much of her substance in riotous living. She might be subsisting on a diet of corn husks, but she never had known anything else, and the husks, if they had left her lean, at least had provided her with strong muscles. Ethan and Ira Allen, those sturdy sons of the state, entered the breach.

"They're a petulant, pettifogging, scribbling sort of gentry," exploded Ethan in a letter to New Hampshire that aired his views concerning the malcontents. "They will keep any government in hot water."

But New Hampshire had an idea that Vermont had lost her grip, that her hold was weakening, that she was disunited and ready to fall into the abyss. New Hampshire thought the time was ripe to settle the dispute her way and at the same time get something before New York or someone else got it. New Hampshire put in a claim to Congress upon the territory of Vermont.





## VI

### HOT WATER

**Vermont** was now sitting as cozy as a missionary in a cannibal pot. New York, that ancient adversary, was on one side; New Hampshire, with her newly aroused appetite, on the other; Britain to the north. All of them had out their big long spears, making unplayful passes at their intended victim. And just to make things a little more uncomfortable Congress was not averse to putting in a jab of her own now and then. She thought it might be a good culinary idea to slit the state down the backbone, like a chicken, and serve up one half to New York, the other to New Hampshire, thereby appeasing both. About this time Massachusetts, scenting the feast, joined the war dance and put in her spear, claiming for herself the southern portion of the victim that was about to be so unceremoniously dismembered. Here was one too many hungry stomachs crowding the festive pot. Congress could not very satisfactorily divide the remains three ways. She figured there might be a row over them and she already was having trouble enough keeping peace among the young family of states who had not as yet learned to live on coöperative terms with each other. So she discreetly withdrew and continued to watch the dance from a safe distance.

But Vermont made an unruly victim for anybody's meat pot. The hotter the fire, the harder she struggled. She wasn't made of the temperament to sit quietly on the blaze and be roasted for someone else's dinner party.

As one of her defenders put it: "We cannot be so lost to all sense and honor, or do that violence to our feelings as freemen and as Americans, that after four years' war with Great Britain, in which we have expended so much





blood and treasure, we should now give up everything worth fighting for; the right of making our own laws and choosing our own form of government to the arbitrament and determination of any man or body of men under heaven."

Let it be recalled that the state had been partitioned into two counties, Cumberland east of the mountains, Bennington west. It was Cumberland County that had been making the trouble with New Hampshire which finally led that state to take sides against Vermont. In Cumberland County there was also a strong New York element. At this time, when the state was so sore beset from without, this element set up a strong conniving with New York. Good old Ethan Allen, who has his defamers but was a man for all that, sounded the tocsin, and rounding up his Green Mountain Boys, marched into the county to see about it. The New York sympathizers, when they saw him coming, set up a howl that could be heard as far as Albany. It was a yell for help.

"Otherwise," they chattered, "our persons and our property must be at the disposal of Ethan Allen, which is more to be dreaded than death with all its terrors."

If Job had any more troubles than the faithful of Vermont in those times of testing, they are not recorded. To take on a complete circle of foes called for courage and stamina enough, but to have to do it while suffering a stomach complaint at home was a task for men only of gigantic proportions and intestinal granite.

*Ho—all to the borders! Vermonters, come down,  
With your breeches of deer-skin, and jackets of brown;  
With your red woolen caps, and your moccasins, come  
To the gathering summons of trumpet and gun.*

*Does the "old Bay State" threaten? Does Congress complain?  
Swarms Hampshire in arms on our borders again?*





*Bark the war-dogs of England aloud on the lake?  
Let 'em come—what they can, they are welcome to take.*

*Come York or come Hampshire,—come traitors and knaves;  
If ye rule o'er our land, ye shall rule o'er our graves;  
Our vow is recorded—our banner unfurled;  
In the name of Vermont we defy all the world!*

One might maintain a dignified moderation in discussing these early Vermonters, but it would hardly do them justice. As fighting men they were of the elect. They rallied on their hilltops and they rallied in the glen. They were at their best when the odds against them were heaviest. They would not admit defeat when the ordinary individual would consider himself overwhelmed. It was so in the present instance. Every man's hand seemed to be against them, but apparently they had no idea of surrendering the result of their sacrifices and labors. Even material resource was denied them in the struggle. Governor Chittenden, addressing Washington on the destitute condition of the families of the soldiers, wrote that they had been unable to harvest their crops or sow the winter grain which always had been their greatest dependence.

“They are therefore principally reduced to an Indian Cake in Scant proportion to the number of their Families, & by the destruction of their Sheep by the Enemy, their loss of them otherwise as well as their flax, their backs & their bellies have become Co Sufferers. In this deplorable situation they remain firm and unshaken, and ready on the Shortest Notice to face their inveterate foe Undaunted.”

Under such adverse circumstances the leaders of the state and their followers continued to fight on for that unity and freedom that already had become the watchword of her seal. Despite the state's loyalty to Con-





gress, which meant the United States, Congress did not seem very appreciative. The cold truth probably was that Congress could not see her way to be appreciative. Of the four claims set up on the territory of Vermont, which included those of New York, New Hampshire, Massachusetts and Vermont herself, Vermont's own claim was the only one ignored by Congress. By right of occupation, the course of events, the will of her people, Vermont seemed entitled to what she had won, and she did not intend to forfeit a claim that seemed so valid in the face of the conflicting claims of more distant parties.

Ethan Allen had invaded Cumberland County with a hundred Bennington County men. There he had arrested the leaders of the opposition who were refusing to bear arms for Vermont and were agitating the New York cause. The danger was that if these men were allowed to pursue their insubordinate course other malcontents would join them to the peril of the state. Inasmuch as some of them had advocated armed resistance to Vermont, they were tried as rioters and fined. Rushing with their complaints to Governor Clinton of New York, they were received with open arms and soothing words and their complaint passed on to Congress.

Congress appointed a committee to visit the state and inquire into its objections to the claims against it as a basis for settlement. The committee did not exert itself beyond endurance, although two of its members did make an informal call on Bennington. Congress also enjoined the state not to make any more grants of unoccupied lands until the dispute was adjusted. In response Vermont refused to release her right to make grants and also refused to submit her territory to arbitrament by a Congress in which she had no authoritative voice. Governor Chit-





tenden, quilling a letter to Congress anent Governor Clinton, observed with some spirit:

“The free born citizens of this State can never so far degrade the dignity of human nature, or relinquish any part of the glorious spirit of patriotism, which has hitherto distinguished them in every conflict with the unrelenting and long continued tyranny of designing men, as tamely to submit to his mandates, or even to be intimidated by a challenge from him.”

New York, aided and abetted by the vociferous faction in Cumberland County, was now in full cry, pressing for a quick decision. Vermont, who had been sending delegates to lay their case before Congress, now dispatched Ethan Allen to the Massachusetts legislature and Ira into New Jersey, Pennsylvania, Delaware and Maryland. New York might be riding hard for a kill, but Vermont from much hounding had become a wily old fox. Ira took with him on his journey several copies of a document prepared by Ethan presenting cogently the arguments in defense of Vermont. This document, published by authorization of the Governor and Council, was ordered to be distributed to Congress, the General Assemblies of the various states, and to the principal officers of the Continental Army. A powerful argument was also drawn up by Stephen Row Bradley, a young lawyer recently come to the state from Connecticut, and its printing authorized.

The contest went on. Congress temporized. New York, supported by her Vermont faction, urged her claims. New Hampshire, supported by a Vermont faction from the same county, urged hers. Vermont continued as best she could to parry the attacks of all adversaries. Congress temporized some more. Nothing was being accomplished. No one was getting anywhere. In the midst of the confusion Vermont again petitioned for admission to the Union.





“Unjustly treated as the people over whom I preside, on the most serious and candid deliberation conceive themselves to be in this affair, yet, blessed by heaven with constancy of mind and connexions abroad, as an honest, valiant and brave people are necessitated to declare to Your Excellency, to Congress and the world, that as life, liberty and the rights of the people intrusted them by God are inseparable, so they do not expect to be justified in the eye of heaven, or that posterity would call them blessed if they should tamely surrender any part.”

Amid all this dalliance and quibbling time was playing into the hands of Vermont. The New England states, not averse to more voting strength in Congress, had, with the exception of New Hampshire, an unspoken willingness to add Vermont to their number. Here and there, too, was an influential friend with Vermont affiliations. Many people admired the doughty and prolonged fight she had been waging. Some of the smaller states, such as Delaware, Rhode Island, New Jersey, had been courted and saw the value of another small state to help uphold small state prestige. Vermont, a sectional part of the Union but a political excretion, supporting the Union, but denied admittance to it, presented an anomaly that to many must have seemed unwarranted. It was even doubted by some that Congress had a right to settle state disputes. Everyone was concerned with the war, which was diverting their attention and energies. Vermont seemed to have as much right to her own domain as her squabbling neighbors. It seemed hardly worth while to keep a black broth bubbling just because New York and New Hampshire would not give up an antiquated dispute and their questionable claims. Vermont had vindicated her right to existence. Support of this opinion was even growing in New York, which had been





subjected to a recent invasion by the English and was threatened by another. To get together with Vermont in mutual defense seemed more reasonable than to persist **in outworn** antagonisms. So substantial indeed was this **sentiment** that when New York was again approached by Vermont to desist in her claims both the Senate and the House voted to bury the hatchet and set up an interstate commission to decide the terms on which the claims should be abandoned. Then and there, instead of a decade later, the whole controversy might have been settled had not Governor Clinton, whose family had a proprietary interest in Vermont, stubbornly stepped in and declared he would prorogue the Assembly if it persisted in its course. But at about the same time, referring to the Vermonsters, he confessed:

"These turbulent people daily gain strength at our expense."

The demand on New York was quickly followed by demands on Massachusetts and New Hampshire. Massachusetts, who had never been a strenuous contender in the four-sided argument, voted to abandon all claims on Vermont provided Congress would recognize the state and admit it to the Union. New Hampshire instructed her delegates to Congress to urge a speedy settlement of the issue and if it went against Vermont to insist on their claims.

The strait in which all parties to the controversy found themselves was one that called for prompt and firm action, but Congress had another spasm of indecision which left everyone cooling their heels. Thereupon the New York proponents in Cumberland County, rather than accede to the Vermont government, joined the New Hampshire party for a revival of the Connecticut valley league. The idea was to form a state of the valley towns with the Green Mountains as the western boundary.





Such a move would deprive New Hampshire of approximately two-thirds of her territory and Vermont of one-half.

The convention which met to decide the matter convened in Charlestown on January 16, 1781. Agents from New York were present and apparently favored the plan, for if Vermont were split asunder, the half remaining might be expected to fall easier prey to their own interests. But a surprise was in store. Instead of forming an alliance between the river towns, the convention voted by a large majority to unite all of Vermont to New Hampshire. It was a complete sell-out. New Hampshire was jubilant. New York was forced to bide her time. Vermont was left holding an empty bag.

Western Vermont had sent into the convention, under instructions from Governor Chittenden, only one man. That man was Ira Allen. He arrived after the vote was taken. The moment was one of the most fateful in Vermont history. Ira Allen did that night what probably no other man in Vermont could have done and a thing that few men have ever done. He persuaded single-handed a hostile convention to reverse its decision. The next morning its vote of the day before was not only rescinded by a large majority, but the convention, facing about, voted to annex the western New Hampshire towns to Vermont. Ira Allen, who had been given a free hand by Governor Chittenden, assured the delegates that the Vermont legislature would concur in this decision. The ablest man in the annals of the state had slipped the leash that was to send Vermont all out.





## VII

### ALL OUT

Vermont, with the incidental opposition against her falling away, but still obstructed by the entrenched forces of New York and New Hampshire, the procrastination of Congress and her own disloyal factions, rolled up her big guns. The battle had to be won on two salients. She had to overcome New York and New Hampshire opposition and she had to break down the reluctance of Congress. If she could shake loose from New York and New Hampshire, particularly New York, whose claims were being more doggedly urged, she would be in a far better position to receive a favorable nod from Congress. Congress had no special grievance against Vermont, had no real reason to keep her out of the Union except that with the war on her hands and increasing problems and dissensions caused by the growing-pains of the states, she did not want to add to her troubles by antagonizing a powerful state like New York and an influential New Hampshire. She would have liked to settle the dispute, but she would have liked to settle it against Vermont as being less disquieting to her own position. If Vermont would only pipe down and go peaceably with New York everything would be fine, but Vermont would not go peaceably with New York. Vermont would not go peaceably with anyone.

"You are fighting a war with England against tyranny and oppression," she argued, "but you would countenance tyranny and oppression as employed against us."

In fact, Vermont at this juncture, grown desperate, gathered her meagre forces and went on the aggressive. It was the charge of the Light Brigade at the whole Russian army. Her forlorn and audacious attack constitutes





one of the most shining episodes of her well-illuminated history. Its conception was brilliant, its execution daring.

Vermont struck along the Congressional salient by ~~threatening~~ to make overtures to England. She already **had** intimated in her contentions before Congress that such recourse was possible. At the same time she consistently had demonstrated by every word and act that she did not want to be driven to such a course. Now, however, snubbed repeatedly by Congress, her every approach rebuffed, she resorted to her famous Haldimand negotiations, and for once Congress, knowing the value of Vermont as a frontier buffer and her strategical importance, sat up with ears in the air and took notice.

Vermont also turned on New York and New Hampshire. The displeasure of New Hampshire and Congress had induced her to annul her original decision to annex the New Hampshire river towns. Now, with the legislature backing Ira Allen's promise, she stretched out her hand to them again and drew them beneath her mantle. Vermont was through discreetly trimming her sails to the desires of others. Compliance had failed. Rhetoric was to give place to action. With superb audacity she did not stop with New Hampshire but swung a similar blow at lusty New York, inviting that portion of the state lying east of the Hudson to identify itself with her. The joke of the matter was, so far as New York was concerned, that these people, not congenial to their own aristocratic government and left unprotected by that government, were sympathetic toward Vermont and ready to respond to the invitation.

Vermont by its refusal to be intimidated, by its effrontery and adroit manoeuvring had set up a good-sized worry not only in Congress but in New Hampshire and New York as well. It had smartly and effectively turned the scales on its opponents and in large measure taken





the initiative away from them. The shoe was on the other foot. Made anxious for their own safety, they were in a much more amenable state of mind for negotiation, more willing to call quits, to accept the status quo, more satisfied to leave Vermont alone if Vermont would leave them alone.

All this was not achieved by any wave of a fairy wand. It required some grim business, with determined men playing for heavy stakes behind it. While the business was going on, these men were also playing other cards. Congress had forbidden them to make further grants of land, but they had not acquiesced. As a result, the population of the state was increasing, giving it more strength, and some of those encouraged to acquire land were men of consequence and influence. These men did not always take up residence in the state, but their weight was thrown in the scales in support of their property rights.

Vermont had gone all out.





## VIII

### CHECKMATE

England, through commissioners appointed for the purpose, had offered peace to the American Congress shortly after Vermont announced her independence as a state. Congress would not accept England's terms. Thereupon, the commissioners issued a general manifesto, appealing to the public at large, offering a peace to the collective colonies or to any individual colony. The basis of peace was a restoration of their former governments, and a guarantee against infringement and taxation.

Vermont, because of its geographical location and its precarious political condition, would seem wide open to such a proposition. Under date of March 30, 1780, a letter was thrust into Ethan Allen's hand on the street in Arlington by a British soldier disguised as a farmer. The letter broached the idea of coöperation between Vermont and Britain with the object of reuniting America to the Crown and intimated that such a coöperation might make possible a separate government for Vermont.

"Tell Colonel Robinson," replied Ethan to the secret messenger, "that I will consider his proposal."

Thus actively began that famous correspondence that by some has been regarded as infamous. How far the Vermont leaders ever intended to go with a British alliance is an obscure and mutable question. One can hardly censure them if they played seriously with the notion and held it in reserve as a step that might be taken if they were compelled to do so to save the state. Vermont had given the other states more than ample opportunity to receive her as one of themselves, had done her best to join them. If they would have none of her, if they should succeed in destroying her, she could scarcely be





blamed for accepting the only way out of the strangling noose. Even if she contemplated such an escape as a last resort and made provision for it when chance offered, ~~she was~~ nevertheless bitterly opposed to it. Everything indicates that she had no desire to join her lot with England and that if it were done it would be done with exceeding reluctance and as a final measure of necessity.

Congress had stripped Vermont of men and resources to guard the New York frontier rather than her own. An army of ten thousand men hung poised on her northern border. She was an island in the midst of a sea of enemies, threatening to engulf her. England's friendly advances gave her leaders, now long skilled in tight-rope diplomacy, an opportunity to play one opponent against another. If she could keep England guessing, England would not strike for fear of jeopardizing her own interests. If she could keep Congress guessing, Congress would hesitate to oppose her too strenuously for fear of driving her into the hands of England. So she angled in deep waters, time and again delaying any conclusive answer to England and at the same time bearing down more heavily on Congress with her talk of revolt. To emphasize Vermont's loyalty and at the same time to make clear the dangerous weapon the state now had at its disposal Ethan forwarded Colonel Robinson's letter to Congress. With it he sent a memorandum to the point that there was no reason why Vermont should not negotiate with England if Congress persisted in rejecting her appeals and that the state as an independent unit over which by her own repudiation of it Congress had no jurisdiction was free to preserve herself from ruin in any way she saw fit.

"I am as resolutely determined to defend the independence of Vermont as Congress is that of the United States, and rather than fail, will retire with hardy Green





Mountain Boys into the desolate caverns of the mountains, and wage war with human nature at large."

Congress was already more or less intimidated by the pugnacious attitude of Vermont. That was one reason why she had not already sprung the guillotine and let the head of Mansfield roll into Lake Champlain. She knew the Vermonters would never be subdued without an armed struggle and all her arms were now engaged in the affair with England. Perhaps Vermonters indirectly owe their liberty to England. This last broadside of the stalwart Ethan's must have sent a shiver of apprehension down the Congressional spine.

"A cantankerous lot," Congress doubtless characterized those doughty men of the little state who sent down such a challenge from their hills. "Poisonous as hornets."

The leaders of that little state were in a close crack themselves. Ethan Allen had revealed the contents of the Robinson communication to Chittenden and Ira and a few others, and it was a high-handed game to which they committed themselves. What they did they had to do on their own responsibility. The negotiations by their very nature had to be conducted under cover. It was to the interest of neither England nor Vermont to have the secret of the conspiracy known. The Vermont leaders, scheming deeply, working each end of the plot against the other, dared not disclose the situation even to their own people lest their intentions be misunderstood and their designs frustrated. Even as it was, the people were suspicious.

Clandestine messages passed back and forth between the two parties. Only about ten men in the state were aware of what was going on, and they were ten of the most loyal. Vermont strung England along by proposing an exchange of prisoners. Ira Allen, accompanied by a small military detachment, spent about two weeks in





Canada on this mission. Ira Allen could do a lot in two weeks. He returned with an agreement for the temporary suspension of hostilities. It will be noted that Vermont **was always** hedging, keeping the water simmering but **never** bringing it to a boil.

"Matters are not ripe for any permanent proposals," Allen had informed the agents of General Haldimand, Governor of Canada. But at the same time he had declared by way of encouragement that if the people of his state could not get a free charter, "They would return to the mountains, and fight the devil, hell and human nature at large."

A certain Justin Sherwood, a Loyalist leader, was one of those conducting the negotiations on behalf of England. He wrote Governor Haldimand concerning Ira that:

"He gives reasons which he refuses to sign, and then writes them himself, but still refuses to sign."

All the records go to show that Colonel Ira Allen had the English in a bad state of the jitters. From one moment to the next they did not know what to believe. He appeared to be as honest as the day, yet they had a strong suspicion he was as deceptive as the night.

When Ira returned, a great many people wanted to know about the business on which he had been engaged. They had their chance when the General Assembly convened in Bennington June 13, 1781. Only they did not gain much more satisfaction from Ira than the English had. Present at the session were representatives of those forces in Vermont hostile to the state leaders, inquisitive agents from neighboring states, informers from the Haldimand camp.

"What," demanded the legislature of Ira, "were you doing in Canada?"

"I was arranging a cartel of prisoners," answered Ira, the wily. "Fortunately I was successful."





And then Ira scratched dust. He informed the Assembly that the British apparently were desirous of peace, but beyond that he divulged little. Ira, on all the evidence, was ~~a man equal to the demands~~ of grand events. He presented the papers authorizing his commission, and the doubters seemed satisfied. At a conference with the Canadian interests present he also satisfied them of the integrity of his efforts. On the outcome of the hearings he later commented:

"Is it not curious to see opposite parties perfectly satisfied with our statement and each believing what they wished to believe, and thereby deceiving themselves!"

Ira was a diplomat, Ethan a rugged fighter, Chittenden a cool-headed seer. And there were others, men of unschooled but keen minds, fearless, ready to undergo all things for the faith that was within them. The little mountain citadel of Vermont was well-equipped with defenders to protect her liberty. Knowing that they were playing with fire, these men signed a document exonerating Ira Allen in case their plans miscarried and disaster befell them.

Ira wrote Governor Haldimand that things had best be kept quiet until after the next election, when the majority of the state officers would probably be well-disposed to what had been discussed. England was chary of these delays, but could do nothing about them. She acknowledged that it was difficult to conduct a successful campaign from Canada without the aid of Vermont and that it was difficult to conduct a successful campaign into Canada without the aid of Vermont. Vermont was the standard on which the teeter-board rested. So long as there was a hope of winning Vermont over she could not afford to abandon her designs. Vermont, as England knew and admitted, preferred to go with Congress, but if Congress would have none of her, there was always a





chance, according to the English point of view, that she would go with them.

"I have my suspicions of these people," wrote Sir Henry Clinton to General Haldimand. And General Haldimand replied: "Considering the uniformity of Ira Allen's conduct, he must be the most accomplished villain living if he means to deceive us."

From time to time prisoners were exchanged. Letters continued to travel north or south by their devious routes. Both sides were cautious about committing anything to paper of an incriminating nature. Vermont, paying out a little more line, evinced a willingness to discuss the plan of government that it would enjoy under British sovereignty. It was agreed that the government should be the same as then existed except that the governor should be appointed by the king in Council. At the same time Governor Chittenden's emissaries pointed out that no positive step could be taken toward accepting British sovereignty until the people were prepared for it. The British commissioners, however, were becoming impatient. The idleness of the English army in the north was not helping the operations of the army in the south. It was insisted that the armistice would be broken off unless Vermont proclaimed herself a Crown colony and joined military forces with England.

To this stipulation the Vermont representatives to the conference, Colonel Ira Allen and Major Joseph Fay, laid down a barrage of objections, and a compromise was finally effected. According to the compromise, General Haldimand was to move a fleet up the lake during the forthcoming session of the legislature, feinting an invasion, and issue an open proclamation to the people to establish Vermont as a colony under the Crown. The legislature must then accept the offer and execute measures for joint defense. As there was no alternative, the





Vermonters consented to the ruse, knowing full well the legislature would not comply and trusting to luck or their expedients that something would intervene to disrupt the plans. The coming of a fleet would at least serve to allay the suspicions of the uninitiated who were becoming skeptical as to why hostilities had been so unexpectedly suspended and to stifle the charges of the internal opponents of the leaders who were using the rumors that were abroad to discredit them.

"We'll try it," assented Fay and Allen, "but we doubt the temper of the people."

Vermont must have been beautiful in that month of October as General St. Leger sailed up the blue waters of the lake with his fleet, bearing two thousand British troops, on his mission of annexation. Leaves would be turning along the shore lines, and on clear chill nights the stars would be shining brightly above the dark outlines of the mountains. To assist in carrying out the pretense of invasion the Vermont leaders sent scouting parties into the Champlain valley.

On one of these scouting forays, which happened to contact the enemy, a Sergeant Tupper was killed. Poor Sergeant Tupper appears to have been an unintended victim on freedom's altar. But perhaps the Sergeant did not die in vain. General St. Leger, in command of the English forces, was full of apologies if not of contrition. He felt so badly about the course the misdirected bullet had taken that he sent back the deceased Sergeant's coat and trousers with a letter telling how sorry he was that the owner had been killed.

"Since when have men wept bitter tears over the death of an enemy!" cried the opponents of Ira and his coterie. "There is something crooked as an auger in this business!"





The English descent had been arranged to coincide with the meeting of the state legislature. And the legislature was meeting in Charlestown, one of the flirtatious New Hampshire towns that had been somewhat illicitly espoused by Vermont in a brazen effort to break up the New Hampshire household. Charlestown of course was in eastern Vermont's dissenter territory. As the news broke, a crowd of people gathered about the public room where Governor Chittenden and others were assembled. One of them, attired in the uniform of a New Hampshire officer, strode inside.

"What's the meaning of all this humbug?" he demanded, shaking an accusing finger under Ira Allen's nose. "How is it that English officers mourn their fallen foes?"

"Good men are sorry when good men are killed," retorted Ira. "If you want to know any more go and ask St. Leger."

The fat was in the fire. The Connecticut valley insurgents had been supplied a sharp point of contention to press home. General Stark of New Hampshire was uneasy. Governor Clinton of New York was belligerent. Throughout the colonies men were shaking their heads over what might be going forward in Vermont. The rank and file of the state, even men like Seth Warner, could not avoid surmise and speculation. Yet they knew that the leaders involved were among the most trustworthy men among them. False papers were prepared to reassure the people.

Yorktown!

Word reached the Green Mountain Boys that Cornwallis had surrendered. The interruption that had been hoped for had arrived. The news reached the British garrison at Ticonderoga. General St. Leger hauled up his anchors and departed with men and baggage. Ver-





monsters celebrated in a way that could leave no doubt as to their sincerity.

"The people," wrote Governor Haldimand, "are rioting in the excess of licentious exultation!"

Still England did not entirely abandon hope. Congress remained obdurate. Ethan Allen was bitter at the way Vermont was being treated. Some unforeseen turn of fortune's wheel might yet bring the state into the English camp. So thought Haldimand as he saw the quarry eluding his grasp. But Vermont, with the star of America in the ascendancy, that of England on the decline, was not at all likely to commit herself to a losing flag even if she ever had remotely considered doing so. The negotiations gradually folded up, dwindling to a close early in 1783, somewhat over a year after the surrender of Lord Cornwallis in October of 1781.

It would appear from the rather plentiful evidence of contemporaries and others close to the scene in respect to time that the Vermont leaders had carried on the correspondence with a cynical lift of the eyebrow. It may have been, however, that in the last accounting, rather than yield up their own liberty, they would have taken the northern way out and maintained an independent state under British rule. To the charge that such a course would have been traitorous one might respond that Vermont as an independent state with no allegiance, and with every attempt at such an allegiance repulsed by the other states, had a right to choose her own course. The marvel is not that she might have looked ahead to some distant contingency and laid down an avenue of escape if forced to follow it, but that she had remained so consistently loyal to those interests that showed no loyalty to her. The spirit of liberty was in the very blood stream of these early Vermonters. Without it they could not breathe. They would fight for that liberty for themselves





and fight for it for the rest of America. In matching their wits against Britain they were fighting in both their own and the common cause, and their whole conduct of the case bears witness that their purpose, barring possibly some remote crisis in their affairs, was to gain those things for which they had been struggling from the beginning. By a masterly prolonged stroke of diplomacy, vindicated by the outcome, they succeeded in protecting themselves and the rest of the country from serious invasion on the north and rendered Congress impotent to sell them down the river to either New York or New Hampshire.

Samuel Williams, Vermont's first historian, who was acquainted with many of the Vermont leaders and had access to firsthand information, sums up the situation in these words:

"Thus while the British Generals were fondly imagining that they were deceiving, corrupting, and seducing the people of Vermont by their superior wits, addresses and intrigues, the wiser policy of eight honest farmers in the most uncultivated part of America disarmed their northern troops, kept them quiet and inoffensive during three campaigns, and finally saved a State."



## IX

### TIT FOR TAT

"The settlers were a brave, hardy but uncultivated race of men. They knew little of the etiquette of refined society, were blessed with few of the advantages of education and were destitute of the elegancies and in most cases the common conveniences of life. They possessed minds which were naturally strong and active and they were aroused to their highest energies by their difficulties. Though unskilled in the use of logic, their reasoning was strong and conclusive and they possessed the courage and perseverance necessary for carrying their plans and decisions into execution."

Thus Zadock Thompson, another historian of the state, gives the measure of its early citizens. It would seem that he might have been right. They needed all these attributes and more. And they never had greater need for them than during that critical period when by their cleverness they kept England and Congress dangling in suspense and by their boldness had New York and New Hampshire backed up against a thorny hedge. Even while the difficult Haldimand negotiations were being conducted, plans for invading New York and New Hampshire by annexation were being carried out.

"Come on," invited Vermont, beckoning across the Connecticut "—come on over."

Thirty-five fickle New Hampshire towns responded with alacrity, almost falling into the river in their eagerness to be embraced. It was all done legally by a referendum so far as Vermont was concerned, but New Hampshire did not like the idea of a separation and refused to sanction it or recognize its legality.

"Come back home," it insisted, resorting to recrimina-





tions, arrests and complaints to Congress, "or we'll do something about it!"

Vermont responded by turning westward for another conquest. Petitions had been received from several New York towns requesting annexation. Claim was accordingly laid to that part of eastern New York extending from the southern boundary of Vermont to the Hudson River and north to Canada. Vermont had now gone into the matrimonial market with an abandon that might have been dubbed reckless but for the smart headwork and irresistible ardor behind it.

"Join up," welcomed Vermont, "Let's have a nice big family."

There were fourteen towns in the district. They held a convention and decided they liked Vermont better than New York. So another wedding was celebrated. Vermont had another bride on her hands and more trouble, but it was all according to plan.

The alliance on the east was called the Eastern Union, the alliance on the west was called the Western Union. Both had seats in the Vermont legislature. The Eastern Union, or at least its partisans in Cumberland County, part of which was now known as Gloucester County, were a bit jealous of the Western Union. The acquisition of the New Hampshire towns had given the eastern side of the state more power. The eastern towns were not anxious to see that power balanced by the acquisition of the New York towns. All told, Vermont now had nearly twice as much territory as formerly, with a corresponding increase in strength that gave her arguments more weight.

The situation, however, was not one of wedded bliss. New York and New Hampshire were frothing at the mouth and Congress wore a heavy frown. It looked as if the tiny state of Vermont were bearding them all and getting away with it. It had been very well to annex





Vermont, but now that the nail was in the other coffin the mourners did not like it.

New Hampshire threatened to bring back her deserting towns by force. Thereupon Governor Chittenden addressed himself to General Paine, the lieutenant-governor, a resident of the Eastern Union, instructing him to call out the militia east of the mountains and if necessary to repel force by force. General Paine forwarded a copy of the orders to New Hampshire with the addenda that he would carry them out if New Hampshire started anything. At the same time, however, a more peaceful settlement was sought. Commissioners were sent to the New Hampshire Assembly in an effort to find an amicable arrangement of the matter. The upshot of it all was that New Hampshire gave her refractory citizens forty days to return to the fold and armed conflict was averted.

New York was raising even more of a rumpus. Both New York and Vermont partisans within the Western Union began making arrests, and, gathering in arms near Sancoick, nearly came to blows. The Vermont adherents so greatly outnumbered those of New York that the latter did not dare attack them, and the New York commander, Colonel Yates, applied to the state for reinforcements. At that Governor Chittenden countered by calling out the Vermont militia under Colonel Walbridge and marching them into the disturbed territory. Colonel Yates fell back on his reinforcements, which, perhaps because of the unpopularity of the cause, numbered only eighty.

"What are you here for?" demanded General Gansevoort, in charge of the reinforcements.

"We are here to protect the liberty and the property of those who have declared their allegiance to us," replied Colonel Walbridge, "and we intend to do it."

The combined force of indifferent New Yorkers took a





look at the five hundred determined Green Mountain Boys and discreetly went into reverse.

As with New Hampshire, an armed clash had been **narrowly** and fortunately averted. In the light of future **events** bloodshed between Vermont and these two neighbors would have been most deplorable. The relationship between them, however, remained of an explosive nature. It constituted a powder keg with the fuse ready to be lighted by any stray spark.

In this critical moment arrived a letter from General Washington, addressed to Governor Chittenden. The letter advised a discontinuance of the unions and intimated that if Vermont would return to her original boundaries, Congress would admit her to the Union as the fourteenth state. This belief was based on a recent action by Congress which implied that Vermont's claim to her own territory was valid and that with her borders adjusted she would be eligible to Union membership. To the credit of Vermont the legislature, meeting in Bennington February 11, 1782, acceded to Washington's request, and the unions were dissolved.

"The glory of America is our glory," wrote Chittenden to Washington, "and with our country we mean to live or die, as her fate shall be."

Meanwhile, however, New York had become alarmed at the propitiatory attitude of Congress toward Vermont and there began again an endless round of letter writing and memorializing on the part of both states. Congress blew alternately hot and cold. The question of western lands, over which several of the states were claiming jurisdiction, was commanding the attention of that body. New York, hoping to strengthen her position in regard to Vermont, waived her flimsy claims in the western territory and also adopted a more conciliatory policy toward Vermont. Most of the eastern states, some





for one reason, some for another, were now prepared to favor Vermont, but the southern states for political reasons were opposed. New Hampshire, having recovered her lost townships, was indifferent.

Against such a background Ethan Allen, commanding Vermont troops, suppressed an uprising against the state in Guilford. Property of the offenders was confiscated. The incident, coming just at a time when Congress was considering the fulfillment of her conditional promise to recognize Vermont sovereignty, formed an unfavorable impression as it was presented by the enemies of the state, and the proceedings were blocked. Congress even threatened to use United States troops to maintain internal order in the state. Thereat Washington warned Congress through one of its members that if it tackled Vermont it would know it had tackled something, and that the army might be unwilling to shed the blood of its fellow countrymen.

"The country is very mountainous, full of defiles, and extremely strong. The inhabitants, for the most part, are a hardy race, composed of that kind of people who are best calculated for soldiers."

Nor had Vermont been backward in presenting a remonstrance to such duplicity.

"Congress has been so mutable in their resolutions respecting Vermont that it is impossible to know on what ground to find them, or what they design next. At one time they guarantee to the State of New York and New Hampshire their lands and jurisdiction to certain described limits, leaving a place for the existence of this State. And the next that this government hears from them they are within those limits, controlling the internal government of the State. Again they describe preliminaries of confederation, and when complied with on the





part of this State, they unreasonably procrastinate the ratification thereof."

New York was all for military coercion of Vermont, and when Congress refused, once more connived with **New Hampshire** to split the state, but Vermont continued to ward off all trespassing, reiterating her determination to meet force with force, and on May 29, 1784, a committee of Congress recommended the recognition of Vermont as a sovereign state and its inclusion in the Union. The resolution, which depended on the approval of nine of the thirteen states to make the admission constitutional, failed of passage. This was the last act of the Continental Congress in the Vermont controversy.



## COASTING IN

Frequently it happens that the affairs of men and nations will swirl endlessly around in an eddy despite all that can be done to prevent it and then, when the struggle ceases, some unexpected force from the outside will pick them up and swing them out into the main current.

Something much like that happened in the case of Vermont. She had experienced seven years of tempestuous existence. Into them had been packed enough pioneer adventure, war of all descriptions and intrigue in high places to glut the most avid reader of thrilling romance. A state had been founded, it had been defended against the power of Great Britain and the United States, had fended off encroachments of stronger and more influential designing neighbors, had quelled repeated rebellion within its own borders, and during it all had maintained the functions of a free government. Vermont had come a long way from her feeble little Committees of Safety. Among her last acts had been a challenge to Congress—

“When Congress require us to abrogate our laws and reverse the solemn decisions of our courts of justice in favor of insurgents and disturbers of the public peace, we think ourselves justified to God and the world when we say we cannot comply.”

Or again, in the words of its governor:

“This matter has been managed by the wisdom of the legislature of this State, who consider themselves herein amenable to no earthly tribunal.”

Now had come the calm. Great Britain had sued for peace. Congress had become reconciled. New York, New Hampshire and Massachusetts had virtually abandoned the struggle. The levying of war against the state by any





citizen of it had been made punishable by death. For the next seven years Vermont was to drift on a stream that was to carry her without much further effort into the desired haven.

“During the period immediately following the declaration of peace with Great Britain,” states Crockett, “when there was no central government worthy of the name in the group of States calling itself the American nation, the little commonwealth of Vermont was gradually assuming most of the functions exercised by an independent republic. It coined money. It established post-offices and post-roads. It entered into negotiations with a foreign power concerning trade and commerce. It passed acts of naturalization. It granted public lands. It considered public acts relating to a policy of internal improvements. And long before it declared its independence it had raised and supported armed forces for the defence of the homes of its people.”

The number of townships began to increase rapidly. Involved land titles made trouble. Money was scarce, and the increased costs, both private and public, incidental to building up a new country caused much indebtedness. The courts and the lawyers were blamed. Taxation was resented. There was rioting. Shays and some of his followers entered the state from Massachusetts and were expelled. Thomas Chittenden, supporting Ira Allen amid charges of malfeasance preferred against him, failed of his only election in 1789 although receiving the largest number of votes. The legislature appointed Moses Robinson.

Daniel Chipman, remarking on the incident, says:

“The friends of Governor Chittenden were strongly attached to him, and being highly exasperated accused the Legislature of disregarding the voice of the people and turning out an old and faithful public servant against





their wishes, and they succeeded in producing a high degree of excitement among the people. The consequence was that the next year Governor Chittenden was elected by a far greater majority than that of preceding years."

Imperfect as conditions might still be in Vermont, they were preferable to what they were in many sections of the country. That was one reason why so many newcomers were being attracted to her lands. Vermont had contributed to the war expense, but now that the war was over and she was not a part of the United States, she was not called on to bear any part of the general war debt. With money as close as it was at that period, this was an important consideration. As an independent state she could go her own pace without the restraints and squabbings of the other states. She was making out quite as well in her government and political economy as the United States, which were having a rather wretched time of it, and under the circumstances she was content to pursue her own course. It was a course that brought her increasing strength and favor and left her quite indifferent to what Congress might do concerning her.



## XI

### PORT AT LAST

New York remained the prime obstacle in the path of Vermont's admission into the Union. The Southern and Middle Atlantic States were not advocates of admission but neither were they bigoted objectors, and it was thought that with New York placated they would fall in line. Even New York was softening in her attitude, and some of the New York leaders argued that there was no good to be gained from prolonging the quarrel.

"New York is loaded with debt," contended Alexander Hamilton in words that may be briefed. "Vermont is well defended. We can expect no help from others. Even our own citizens would scarcely countenance a resort to force. We would only bring more trouble on ourselves in attempting to govern this additional territory. Vermont is in all essentials an independent state. Policy dictates that it so remain."

The United States had hitherto been a rather flabby collection of units joined by sinews that were elastic and not very binding. With the ratification of the constitution by a sufficient number of states to assure its adoption, the situation changed. Underwritten by such influential states as New York and Virginia, it looked as if the voyage would be a success. Vermont, wedged in between two large and powerful countries like the United States and Canada, would in time become a political orphan. Her ambition to affiliate herself with the growing power of the United States was renewed. She feared, too, that when the new federal courts were organized New York might introduce the land controversy before one of these courts and it would be decided against her.

As New York formed the principal barrier between





Vermont and favorable Congressional action, the most reasonable course seemed to be to remove the barrier before advancing farther along the road. Consequently, Nathaniel Chipman of Vermont presented the case of the state to Alexander Hamilton of New York as one inclined to give it consideration. The time seemed opportune, for not only were old animosities fading, but there were several material reasons why New York might feel that it would be to her advantage to have Vermont added to the Union. In the first place, she could not but realize that her hold on Vermont was failing and she might better make what she could of a bad bargain while there was yet time. Sectional politics had also appeared on the horizon, and with Kentucky knocking for admission in the South after severing relations with Virginia, New York knew that Vermont and her Congressional delegates would help maintain the northern balance of power. Another factor to give her pause was that she hoped to make New York City the national capital and Vermont influence might be of assistance.

Letters were exchanged between Chipman and Hamilton, and they finally met in Albany. The result of the intercourse, carrying with it much discussion, was that a memorial was presented to the New York legislature on February 13, 1789. The House passed a bill consenting to the establishment of Vermont as a state by Congress, but the Senate, as on later occasions, balked at the idea.

Commissioners were appointed by both states, and the effort to adjust the situation continued. There were two important points at issue. One was the delineation of the boundaries of the new state, and the other was an equitable settlement to persons in New York claiming title to lands that had been regranted by Vermont. It was difficult to see alike on these two questions. Inability to reach any agreement on the points of variance, particularly





compensation to claimants, quashed the work of the commissioners. New York appointed a new commission, with more power to act. The representatives of both states wanted to close the books on the long dispute, and in October of 1790 an agreement was reached.

The New York commissioners, having been given full and direct powers to treat upon the matter, declared the consent of their legislature to the admission of Vermont to the Union as a free state. The boundary line should be the one proposed by Vermont, which was the western tier of towns granted by New Hampshire and the middle of Lake Champlain. As for the land claims, if Vermont would agree to pay New York on or before January 1, 1794, a blanket sum of \$30,000, all rights to land granted by New York should be cancelled except those made in confirmation of the grants of New Hampshire.

The Vermont legislature quickly acceded to the terms of the negotiation, and a controversy that had wracked the state for over a quarter of a century, setting its stamp upon the character of the people for generations, had come to an end.

Vermont, no longer obstructed by New York, was now face to face with the question of whether it would join the Union. Not everyone, now that the time had come, was in favor of it. A convention was called to consider the ratification of the constitution of the United States. This convention met January 6, 1791. Nathaniel Chipman, who had been so active in terminating the controversy with New York, presented an able argument in a stand for admission, pointing out the great disadvantage under which a small state would find itself in its inevitable differences with powerful neighbors and the restricted conditions under which its citizens and institutions would of necessity have to exist. Stephen R. Bradley was another strong supporter of ratification.





These men contended that Vermont had sought union by every means in her power for years and now that the opportunity had come it was no time to shy at the hurdle for fear of surrendering a few rights and liberties.

After three days of debate the convention, voting one hundred and five to three for membership, ratified the constitution. News of the ratification called forth expressions of rejoicing in many quarters outside the state. Even New York celebrated. Commissioners were appointed to treat with Congress. Judge Chipman, one of the commissioners, reported that the mission experienced every possible attention and friendly assistance. On February 9, 1791, President Washington sent a message to Congress vouching for the authenticity of the application presented by the commissioners. That for which Vermont had waited and struggled through many dark hours came February 18, 1791, when the nation's first President approved and signed the following enactment, passed by the Senate on Saturday, February 12, and by the House of Representatives on Monday, February 14:

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, and it is hereby enacted and declared, that on the fourth day of March, One Thousand Seven Hundred and Ninety-one, the said State, by the name and style of the 'State of Vermont,' shall be received and admitted into this Union, as a new and entire member of the United States of America."



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